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Agenda item 93

HUMAN RIGHTS AND SCIENTIFIC AND TECHNOLOGICAL DEVELOPMENTS

Report of the Third Committee

Rapporteur: Mr. Mario DE LEON (Philippines)

I. INTRODUCTION

1. At its 3rd plenary meeting, on 21 September 1990, the General Assembly, on the recommendation of the General Committee, decided to include in its agenda the item entitled "Human rights and scientific and technological developments" and to allocate it to the Third Committee.
2. The Third Committee considered this item jointly with items 89, 97, 105, 106, 109 and 110 at its 35th to 42nd, 49th, 51st, 55th, 57th, 59th, 61st and 62nd meetings, on 7 to 9, 12 to 14, 21, 23 and 28 to 30 November, and 3 and 4 December 1990. An account of the Committee's general discussion of the item is contained in the relevant summary records (A/C.3/45/SR.35-42).
3. For its consideration of the item, the Committee had before it a note by the Secretary-General transmitting the guidelines for the regulation of computerized personal data files (E/CN.4/1990/72) (A/45/580).
4. At the 35th meeting, on 7 November, the Director of the Implementation of International Instruments and Procedures Branch of the Centre for Human Rights made an introductory statement on the item (see A/C.3/45/SR.35).

II. CONSIDERATION OF PROPOSALS

A. Draft resolution A/C.3/45/L.47

5. At the 49th meeting, on 21 November, the representative of the United Kingdom of Great Britain and Northern Ireland, on behalf of Australia, Belgium, Bolivia, the Byelorussian Soviet Socialist Republic, Costa Rica, France, Germany, Guatemala, Italy, Luxembourg, Morocco, the Netherlands, Norway, Peru, the Union of Soviet Socialist Republics and the United Kingdom of Great Britain and Northern Ireland, introduced a draft resolution (A/C.3/45/L.47) entitled "Human rights and scientific and technological developments". Subsequently, Greece, Saint Kitts and Nevis and Samoa joined in sponsoring the draft resolution.

6. At the 55th meeting, on 28 November, the Committee adopted the draft resolution without a vote (see para. 19, draft resolution I).

B. Draft resolution A/C.3/45/L.48

7. At the 49th meeting, on 21 November, the representative of the Byelorussian Soviet Socialist Republic, on behalf of Afghanistan, Algeria, Angola, Argentina, Bangladesh, Benin, Bolivia, Burkina Faso, the Byelorussian Soviet Socialist Republic, Cameroon, Colombia, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Honduras, the Lao People's Democratic Republic, Madagascar, Mali, Morocco, Peru, Poland, Romania, Sierra Leone, the Ukrainian Soviet Socialist Republic, the Union of Soviet Socialist Republics and Viet Nam, introduced a draft resolution (A/C.3/45/L.48) entitled "Human rights and scientific and technological developments". Subsequently, Togo joined in sponsoring the draft resolution.

8. At the 55th meeting, on 28 November, the Committee adopted the draft resolution without a vote (see para. 19, draft resolution II).

C. Draft resolution A/C.3/45/L.57 and Rev.1

9. At the 51st meeting, on 23 November, the representative of Mongolia, on behalf of Algeria, Burkina Faso, Guatemala, Guinea, Indonesia, Madagascar, Mali, Mongolia, Morocco, Myanmar, Nigeria, Papua New Guinea, Saint Kitts and Nevis, Samoa, the Solomon Islands, the Ukrainian Soviet Socialist Republic, Viet Nam and Zimbabwe, introduced a draft resolution (A/C.3/45/L.57) entitled "Need to ensure a healthy environment for the well-being of individuals".

10. At the 57th meeting, on 29 November, the representative of Mongolia, on behalf of the sponsors as well as Mali and Nigeria, introduced a revised draft resolution (A/C.3/45/L.57/Rev.1). Subsequently, the Byelorussian Soviet Socialist Republic and Vanuatu joined in sponsoring the revised draft resolution. The changes in the revised draft resolution were as follows:

- (a) The ninth and tenth preambular paragraphs, which read:

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"Stressing the need for just burden sharing between developed and developing countries and their responsibility for the preservation and improvement of the environment,

"Welcoming the decision of the Commission on Human Rights and its Sub-Commission on Prevention and Discrimination and Protection of Minorities to study the problems of the environment and its relation to human rights,"

were replaced by the following paragraphs:

"Stressing the importance for all countries to take effective actions for the protection and enhancement of the environment in accordance with their respective capacities and responsibilities and taking into account the specific needs of developing countries, and that, as the major sources of pollution, the developed countries have the main responsibility for taking appropriate measures urgently,"

"Welcoming Commission on Human Rights resolution 1990/41 of 6 March 1990 and Sub-Commission on Prevention of Discrimination and Protection of Minorities resolution 1990/7, in which they decided to study the problems of the environment and its relation to human rights,"

(b) Operative paragraph 3, which read:

"Encourages the Commission on Human Rights, with the assistance of its Sub-Commission on Prevention of Discrimination and Protection of Minorities, to continue studying the problems of the environment and its relation to human rights, with a view to submitting the progress made on the matter to the United Nations Conference on Environment and Development;"

was replaced by the following text:

"Encourages the Commission on Human Rights, with the assistance of its Sub-Commission on Prevention of Discrimination and Protection of Minorities, to continue studying the problems of the environment and its relation to human rights, with a view to submitting to the Preparatory Committee of the United Nations Conference on Environment and Development, through the Economic and Social Council, a report on the progress made on the matter;"

11. At the same meeting, the representative of Mongolia, on behalf of the sponsors, further orally revised operative paragraph 4 of the draft resolution, which read:

"Decides to consider this question at its forty-sixth session under the item entitled "Alternative approaches and ways and means within the United Nations system for improving the effective enjoyment of human rights and fundamental freedoms."

/...

by replacing it with the following text:

"Believes that appropriate organs of the United Nations should pursue active efforts in seeking to promote a better and healthier environment."

12. At the same meeting, statements were made by the representatives of the United Kingdom of Great Britain and Northern Ireland and Mongolia.

13. At the 59th meeting, on 30 November, the representative of Mongolia, on behalf of the sponsors, further orally revised operative paragraph 4 of the revised draft resolution (A/C.3/45/L.57/Rev.1, to read as follows:

"Believes that appropriate organs of the United Nations, within their respective competences, should pursue active efforts in seeking to promote a better and healthier environment."

14. At the same meeting, the Committee adopted the revised draft resolution, as further orally revised without a vote (see para. 19, draft resolution III).

15. After the adoption of the revised draft resolution, the representatives of Bolivia, New Zealand, the United States of America, Brazil, Malaysia, Peru, Singapore, Colombia, Cuba, Barbados, Egypt and Pakistan made statements (see A/C.3/45/SR.59).

D. Draft resolution A/C.3/45/L.66

16. At the 51st meeting, on 23 November, the representative of France, on behalf of France, Italy, Luxembourg and the United Kingdom of Great Britain and Northern Ireland, introduced a draft resolution (A/C.3/45/L.66) entitled "Guidelines for the regulation of computerized personal data files".

17. At the 55th meeting, on 28 November, the Committee adopted the draft resolution without a vote (see para. 19, draft resolution IV).

18. After the adoption of the draft resolution, the representative of Germany made a statement.

III. RECOMMENDATIONS OF THE THIRD COMMITTEE

19. The Third Committee recommends to the General Assembly the adoption of the following draft resolutions:

DRAFT RESOLUTION I

Human rights and scientific and technological developments

The General Assembly,

Mindful of the provisions of the Universal Declaration of Human Rights, 1/ the International Covenant on Civil and Political Rights 2/ and the International Covenant on Economic, Social and Cultural Rights 2/ and of other relevant instruments, such as the Declaration on the Rights of Disabled Persons 3/ and the Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment, 4/

Recalling its resolution 33/53 of 14 December 1978, in which it requested the Commission on Human Rights to urge the Sub-Commission on Prevention of Discrimination and Protection of Minorities to undertake, as a matter of priority, a study of the question of the protection of those detained on the grounds of mental ill-health, with a view to formulating guidelines,

Recalling also its resolution 44/134 of 15 November 1989, in which it welcomed the establishment of an open-ended Working Group of the Commission on Human Rights to examine, revise and simplify as necessary the draft body of principles and guarantees submitted by the Sub-Commission,

Taking note of Commission on Human Rights resolution 1990/38 of 6 March 1990 5/ and Economic and Social Council resolution 1990/37 of 25 May 1990, by which the Council authorized the Working Group to continue its work with a view to submitting the draft principles and guidelines to the Commission at its forty-seventh session,

1. Welcomes the significant progress made by the Working Group in the elaboration of a body of principles for the protection of persons with mental illness and for the improvement of mental health care, and urges the Group to complete its work expeditiously for submission to the Commission on Human Rights;

1/ Resolution 217 A (III).

2/- See resolution 2200 A (XXI), annex.

3/ Resolution 3447 (XXX).

4/ See resolution 43/173, annex.

5/ Official Records of the Economic and Social Council, 1990, Supplement No. 2 (E/1990/22), chap. II, sect. A.

2. Requests the Commission on Human Rights to consider the subject at its forty-seventh session, in the light of the report and recommendations of the Working Group, with a view to submitting the draft principles to the General Assembly at its forty-sixth session, through the Economic and Social Council.

, DRAFT RESOLUTION II

Human rights and scientific and technological developments

The General Assembly,

Noting that scientific and technological progress is one of the decisive factors in the development of human society,

Bearing in mind the relevant provisions of the Universal Declaration of Human Rights, 6/ the International Covenant on Economic, Social and Cultural Rights, 7/ the International Covenant on Civil and Political Rights 7/ and the Declaration on Social Progress and Development, 8/

Conscious that it is only the creative genius of humankind that makes progress and the development of civilization possible in a peaceful environment and that human life must be recognized as supreme,

Recalling the fundamental importance of the right to life,

Bearing in mind that the exchange and transfer of scientific and technological knowledge is one of the important ways to accelerate the social and economic development of the developing countries,

1. Calls upon all States to make every effort to use the achievements of science and technology in order to promote peaceful social, economic and cultural development and progress;

2. Recalls the historic responsibility of the Governments of all countries of the world to preserve civilization and to ensure that everyone enjoys his or her inherent right to life, and calls upon them to do their utmost to assist in implementing the right to life through the adoption of appropriate measures at both the national and the international levels;

3. Calls upon all States, appropriate United Nations bodies, the specialized agencies and intergovernmental and non-governmental organizations concerned to take

6/ Resolution 217 A (III).

7/ See resolution 2200 A (XXI), annex.

8/ Resolution 2542 (XXIV).

the necessary measures to ensure that the results of scientific and technological progress and the material and intellectual potential of mankind are used for the benefit of mankind and for promoting and encouraging universal respect for human rights and fundamental freedoms;

4. Decides to include in the provisional agenda of its forty-sixth session the item entitled "Human rights and scientific and technological developments".

DRAFT RESOLUTION III

Need to ensure a healthy environment for the well-being of individuals

The General Assembly,

Recalling that, in accordance with the provisions of the Universal Declaration of Human Rights 9/ and the International Covenant on Economic, Social and Cultural Rights, 10/ everyone has the right to an adequate standard of living for their own health and well-being and that of their family and to the continuous improvement of living conditions,

Recognizing the need to promote universal respect for, and observance of, human rights and fundamental freedoms in all their aspects,

Considering that a better and healthier environment can help contribute to the full enjoyment of human rights by all,

Reaffirming that in accordance with the Declaration of the United Nations Conference on the Human Environment, 11/ men and women have the fundamental right to freedom, equality and adequate conditions of life, in an environment of a quality that permits a life of dignity and well-being, and that they bear a solemn responsibility to protect and improve the environment for present and future generations,

Bearing in mind the fact that increasing environmental degradation could endanger the very basis of life,

Bearing in mind also that the economic growth and development of the developing countries are essential in order to address the problems of the degradation and protection of the environment,

9/ Resolution 217 A (III).

10/ See resolution 2200 A (XXI), annex.

11/ Report of the United Nations Conference on the Human Environment, Stockholm, 5-16 June 1972 (United Nations publication, Sales No. E.73.II.A.14 and corrigendum), chap. I.

Emphasizing the increasing role of the United Nations in addressing global environmental problems,

Recalling that the United Nations Conference on Environment and Development, to be held in Brazil in 1992, will elaborate strategies and measures to halt and reverse the effects of environmental degradation in the context of strengthened national and international efforts to promote sustainable and environmentally sound development in all countries,

Stressing the importance for all countries to take effective actions for the protection and enhancement of the environment in accordance with their respective capacities and responsibilities and taking into account the specific needs of developing countries and that, as the major sources of pollution, the developed countries have the main responsibility for taking appropriate measures urgently,

Welcoming Commission on Human Rights resolution 1990/41 of 6 March 1990 ^{12/} and Sub-Commission on Prevention of Discrimination and Protection of Minorities resolution 1990/7, in which they decided to study the problems of the environment and its relation to human rights,

1. Recognizes that all individuals are entitled to live in an environment adequate for their health and well-being;

2. Calls upon Member States and intergovernmental and non-governmental organizations dealing with environmental questions to enhance their efforts towards ensuring a better and healthier environment;

3. Encourages the Commission on Human Rights, with the assistance of its Sub-Commission on Prevention of Discrimination and Protection of Minorities, to continue studying the problems of the environment and its relation to human rights, with a view to submitting to the Preparatory Committee of the United Nations Conference on Environment and Development, through the Economic and Social Council, a report on the progress made on the matter;

4. Believes that appropriate organs of the United Nations, within their respective competences, should pursue active efforts in seeking to promote a better and healthier environment.

^{12/} Official Records of the Economic and Social Council, 1990, Supplement No. 2 (E/1990/21), chap. II, sect. A.

DRAFT RESOLUTION IV

Guidelines for the regulation of computerized
personal data files

The General Assembly,

Recalling its resolution 44/132 of 15 December 1989,

Bearing in mind Commission on Human Rights resolution 1990/42 of 6 March 1990 13/ and Economic and Social Council resolution 1990/38 of 25 May 1990, entitled "Guidelines on the use of computerized personal files",

1. Expresses its appreciation to the Special Rapporteur of the Sub-Commission on Prevention of Discrimination and Protection of Minorities, Mr. Louis Joinet, for his report containing a revised version of the draft guidelines for the regulation of computerized personal data files; 14/
2. Conveys its thanks to the Governments that have communicated to the Secretary-General their comments and suggestions 15/ concerning the previous version of the draft guidelines; 16/
3. Adopts the draft guidelines in their revised version;
4. Requests Governments to take into account those guidelines in their legislation and administrative regulations;
5. Also requests governmental, intergovernmental and non-governmental organizations to respect those guidelines in carrying out the activities within their field of competence.

13/ See Official Records of the Economic and Social Council, 1990, Supplement No. 2 (E/1990/22), chap. II, sect. A.

14/ E/CN.4/1990/72.

15/ See A/44/606 and Add.1.

16/ E/CN.4/Sub.2/1988/22.



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ALTERNATIVE APPROACHES AND WAYS AND MEANS WITHIN THE UNITED
NATIONS SYSTEM FOR IMPROVING THE EFFECTIVE ENJOYMENT OF
HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS

Report of the Third Committee

Rapporteur: Mr. Mario L. DE LEON (Philippines)

I. INTRODUCTION

1. At its 3rd plenary meeting, on 21 September 1990, the General Assembly, on the recommendation of the General Committee, decided to include in its agenda the item entitled "Alternative approaches and ways and means within the United Nations system for improving the effective enjoyment of human rights and fundamental freedoms" and to allocate it to the Third Committee.
2. The Committee considered the item at its 24th to 27th, 36th and 51st meetings, on 30 and 31 October and 8 and 23 November 1990. An account of the Committee's discussion is contained in the relevant summary records (A/C.3/45/SR.24-27, 36 and 51).
3. For its consideration of the item, the Committee had before it the following documents:
 - (a) Report of the Economic and Social Council (A/45/3, chap. V, sect. A); 1/
 - (b) Report of the Secretary-General on respect for the right of everyone to own property alone as well as in association with others and its contribution to the economic and social development of Member States (A/45/523);

1/ To be issued as Official Records of the General Assembly, Forty-fifth Session, Supplement No. 3 (A/45/3/Rev.1).

(c) Report of the Secretary-General on development of public information activities in the field of human rights (A/45/590);

(d) Note by the Secretary-General (A/45/640) transmitting his report on the results of the Global Consultation on the Right to Development as a Human Right (E/CN.4/1990/9/Rev.1).

4. At the 24th meeting, the Director of the Legislation and Prevention of Discrimination Branch of the Centre for Human Rights of the United Nations Office at Geneva made an introductory statement (see A/C.3/45/SR.24).

II. CONSIDERATION OF PROPOSALS

A. Draft resolution A/C.3/45/L.26

5. At the 36th meeting, on 8 November, the representative of Cuba, on behalf of Afghanistan, Algeria, Angola, Argentina, Benin, Bolivia, Burkina Faso, Colombia, Cuba, Cyprus, Ecuador, Ethiopia, Guinea, Guinea-Bissau, Guyana, India, the Lao People's Democratic Republic, the Libyan Arab Jamahiriya, Madagascar, Mali, Mexico, Peru, Rwanda, Viet Nam, Yemen, Yugoslavia, Zambia and Zimbabwe, introduced a draft resolution (A/C.3/45/L.26) entitled "Alternative approaches and ways and means within the United Nations system for improving the effective enjoyment of human rights and fundamental freedoms".

6. At the 51st meeting, on 23 November, the representatives of Australia and Italy (on behalf of the 12 States members of the United Nations that are members of the European Community) made statements in explanation of vote before the vote (see A/C.3/45/SR.51).

7. At the same meeting, the Committee adopted draft resolution A/C.3/45/L.26 by a recorded vote of 104 to 1, with 31 abstentions (see para. 21, draft resolution I). The voting was as follows: 2/

In favour: Afghanistan, Algeria, Angola, Argentina, Bahamas, Bahrain, Bangladesh, Barbados, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Byelorussian Soviet Socialist Republic, Cameroon, Chad, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Djibouti, Ecuador, Egypt, Ethiopia, Fiji, Gabon, Ghana, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali,

2/ Subsequently, the representative of El Salvador indicated that his delegation had erroneously abstained instead of voting in favour of the draft resolution.

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Mauritania, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, New Zealand, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Rwanda, Samoa, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Sri Lanka, Sudan, Suriname, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zambia, Zimbabwe.

Against: United States of America.

Abstaining: Australia, Austria, Belgium, Bulgaria, Canada, Czechoslovakia, Denmark, El Salvador, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Liechtenstein, Luxembourg, Malta, Netherlands, Norway, Poland, Portugal, Romania, Spain, Swaziland, Sweden, Turkey, United Kingdom of Great Britain and Northern Ireland.

8. The representatives of Panama, New Zealand, the Union of Soviet Socialist Republics and Japan made statements in explanation of vote after the vote (see A/C.3/45/SR.51).

B. Draft resolution A/C.3/45/L.28

9. At the 36th meeting, the representative of Yugoslavia, on behalf of Afghanistan, Algeria, Argentina, Bolivia, Brazil, China, Colombia, Costa Rica, Cuba, Cyprus, Dominican Republic, Ecuador, Egypt, Ethiopia, India, Jamaica, Lesotho, the Libyan Arab Jamahiriya, Mali, Mexico, Morocco, the Philippines, Rwanda, Senegal, Somalia, the Sudan, Suriname, Tunisia, the United Republic of Tanzania, Vanuatu, Venezuela, Viet Nam, Yugoslavia, Zaire and Zimbabwe, introduced a draft resolution (A/C.3/45/L.28) entitled "Right to development". Subsequently, Guatemala and Peru joined in sponsoring the draft resolution.

10. In introducing the draft resolution, the representative of Yugoslavia orally revised it as follows:

(a) In operative paragraph 1, the words "with interest" were added after the words "Takes note";

(b) In operative paragraph 3, the words "setting up" were deleted between the words "Reiterates the need for" and "a continuing evaluation mechanism";

(c) In operative paragraph 4, after the words "Centre for Human Rights" the words "of the Secretariat" were deleted; and after the words "to continue" the words "and enhance" were deleted;

(d) In operative paragraph 6, after the words "for implementation" the words "and monitoring" were deleted.

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11. At its 51st meeting, the Committee adopted draft resolution A/C.3/45/L.28, as orally revised, without a vote (see para. 21, draft resolution II).

12. After the adoption of the draft resolution, The representatives of the United States of America, 3/ Germany and Japan made statements.

C. Draft resolution A/C.3/45/L.32 and proposed amendments
(A/C.3/45/L.42)

13. At the 36th meeting, the representative of the United States of America, on behalf of France, Germany, Japan, Panama, Poland, Romania, Turkey, the Union of Soviet Socialist Republics and the United States of America, introduced a draft resolution (A/C.3/45/L.32) entitled "Respect for the right of everyone to own property alone as well as in association with others and its contribution to the economic and social development of Member States", and orally revised operative paragraph 3 by inserting the words "consistent with national policies" after the words "at the national level".

14. At the 38th meeting, on 12 November, the representative of Cuba introduced proposed amendments (A/C.3/45/L.42) to the draft resolution, which read as follows:

"1. Add the following new paragraphs as the fourth and fifth preambular paragraphs:

Recognizing further that the right of all peoples to self-determination includes the exercise of their inalienable right to full sovereignty over all their natural wealth and resources,

Reaffirming that, in accordance with article 6 of the Declaration on Social Progress and Development, social progress and development require the establishment, in conformity with human rights and fundamental freedoms and with the principles of justice and the social function of property, of forms of ownership of land and of the means of production which preclude any kind of exploitation of man, ensure equal rights to property for all and create conditions leading to genuine equality among people,

"2. Add the following new operative paragraph 3:

3. Calls upon States to ensure that their national legislation with regard to all forms of property shall preclude any impairment of the enjoyment of human rights and fundamental freedoms, without prejudice to their right freely to choose and develop their political, social, economic and cultural systems;

3/ The representative of the United States of America indicated that his delegation had not participated in the action taken on the draft resolution.

"3. Renumber the remaining paragraphs accordingly.

"4. In old operative paragraph 4 (now operative paragraph 5), after and the right not to be add illegally."

15. In introducing the proposed amendments, he orally revised them by proposing the addition of General Assembly resolution 43/124 at the end of the first preambular paragraph of draft resolution A/C.3/45/L.32.

16. At the 51st meeting, the representative of Cuba proposed a draft decision, which was adopted by the Committee (see para. 22, draft decision).

17. In light of the adoption of the draft decision, the representative of Cuba withdrew his amendments (A/C.3/45/L.42) to draft resolution A/C.3/45/L.32.

18. At the same meeting, the Committee adopted draft resolution A/C.3/45/L.32, as orally revised, without a vote (see para. 21, draft resolution III).

D. Draft resolution A/C.3/45/L.35

19. At the 36th meeting, the representative of Australia, on behalf of Argentina, Australia, Chile, Colombia, Costa Rica, Finland, Greece, Hungary, India, Ireland, Italy, Mexico, the Netherlands, New Zealand, Norway, the Philippines, Senegal, Sweden, the United Kingdom of Great Britain and Northern Ireland, the Union of Soviet Socialist Republics and Yugoslavia, introduced a draft resolution (A/C.3/45/L.35) entitled "Development of public information activities in the field of human rights". Subsequently, Bolivia, Germany, Guatemala, Romania and Samoa joined in sponsoring the draft resolution.

20. At its 51st meeting, the Committee adopted draft resolution A/C.3/45/L.35 without a vote (see para. 21, draft resolution IV).

III. RECOMMENDATIONS OF THE THIRD COMMITTEE

21. The Third Committee recommends to the General Assembly the adoption of the following draft resolutions:

DRAFT RESOLUTION I

Alternative approaches and ways and means within the United Nations system for improving the effective enjoyment of human rights and fundamental freedoms

The General Assembly,

Recalling that in the Charter of the United Nations the peoples of the United Nations declared their determination to reaffirm faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and

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women and of nations large and small and to employ international machinery for the promotion of the economic and social advancement of all peoples,

Recalling also the purposes and principles of the Charter to achieve international co-operation in solving international problems of an economic, social, cultural or humanitarian character, and in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language or religion,

Emphasizing the significance and validity of the Universal Declaration of Human Rights 4/ and of the International Covenants on Human Rights 5/ in promoting respect for and observance of human rights and fundamental freedoms,

Recalling its resolutions relating to the right to development and its resolution 32/130 of 16 December 1977, in which it decided that the approach to future work within the United Nations system with respect to human rights questions should take into account the concepts set forth in that resolution,

Noting with concern that many of the principles enunciated therein have not yet been taken under consideration by the international community with all the necessary dynamism and objectivity,

Emphasizing the special importance of the purposes and principles proclaimed in the Declaration on the Right to Development, 6/

Recalling Commission on Human Rights resolutions 1990/17 and 1990/18 of 23 February 1990, 7/

Taking into account also the documents adopted by the Ninth Conference of Heads of State or Government of Non-Aligned Countries, held at Belgrade from 4 to 7 September 1989, 8/

Reiterating that the right to development is an inalienable human right and that equality of development opportunities is a prerogative both of nations and of individuals within nations,

4/ Resolution 217 A (III).

5/ Resolution 2200 A (XXI), annex.

6/ Resolution 41/128, annex.

7/ See Official Records of the Economic and Social Council, 1990, Supplement No. 2 (E/1990/22), chap. II, sect. A.

8/ A/44/551-S/20870.

Expressing its particular concern about the progressive worsening of living conditions in the developing world and its negative impact on the full enjoyment of human rights, and its especial concern about the serious economic situation of the African continent and the disastrous effects of the heavy burden of the external debt for the peoples of Africa, Asia and Latin America,

Reiterating its profound conviction that all human rights and fundamental freedoms are indivisible and interdependent and that equal attention and urgent consideration should be given to the implementation, promotion and protection of civil and political rights and of economic, social and cultural rights,

Deeply convinced that today more than ever, economic and social development and human rights are complementary elements leading to the same goal, i.e., the maintenance of peace and justice among nations as the foundation for the ideals of freedom and well-being to which mankind aspires,

Reiterating that co-operation among all nations, on the basis of respect for the independence, sovereignty and territorial integrity of each State, including the right of every people to choose freely its own socio-economic and political system, is essential for the promotion of peace and development,

Convinced that the primary aim of such international co-operation must be the achievement by all human beings of a life of freedom and dignity and freedom from want,

Considering that the efforts of the developing countries for their own development should be supported by an increased flow of resources and by the adoption of appropriate and substantive measures for creating an external environment conducive to such development,

1. Reiterates its request that the Commission on Human Rights should continue its current work on overall analysis with a view to further promoting and strengthening human rights and fundamental freedoms, including the question of the programme and working methods of the Commission, and on the overall analysis of the alternative approaches and ways and means for improving the effective enjoyment of human rights and fundamental freedoms;

2. Affirms that a primary aim of international co-operation in the field of human rights is a life of freedom, dignity and peace for all peoples and for every human being, that all human rights and fundamental freedoms are indivisible and interrelated and that the promoting and protection of one category of rights should never exempt or excuse States from promoting and protecting the others;

3. Reaffirms that equal attention and urgent consideration should be given to the implementation, promotion and protection of civil and political rights and of economic, social and cultural rights;

4. Reiterates once again that the international community should accord, or continue to accord, priority to the search for solutions to mass and flagrant violations of human rights of peoples and individuals affected by situations such as those mentioned in paragraph 1 (e) of General Assembly resolution 32/130, paying due attention also to other situations of violations of human rights;

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5. Reaffirms that the right to development is an inalienable human right;
6. Reaffirms also that international peace and security are essential elements for achieving full realization of the right to development;
7. Recognizes that all human rights and fundamental freedoms are indivisible and interdependent;
8. Considers it necessary for all Member States to promote international co-operation on the basis of respect for the independence, sovereignty and territorial integrity of each State, including the right of every people to choose freely its own socio-economic and political system, with a view to solving international economic, social and humanitarian problems;
9. Urges all States to co-operate with the Commission on Human Rights in the promotion and protection of human rights and fundamental freedoms;
10. Reaffirms once again that, in order to facilitate the full enjoyment of all human rights without diminishing personal dignity, it is necessary to promote the rights to education, work, health and proper nourishment through the adoption of measures at the national level, including those that provide for the right of workers to participate in management, as well as the adoption of measures at the international level, including the establishment of the new international economic order;
11. Decides that the approach to future work within the United Nations system on human rights matters should also take into account the content of the Declaration on the Right to Development and the need for the implementation thereof;
12. Decides also to include in the provisional agenda of its forty-sixth session the item entitled "Alternative approaches and ways and means within the United Nations system for improving the effective enjoyment of human rights and fundamental freedoms".

DRAFT RESOLUTION II

Right to development

The General Assembly,

Recalling the proclamation by the General Assembly at its forty-first session of the Declaration on the Right to Development, 9/

Recalling its resolutions and those of the Commission on Human Rights relating to the right to development, and taking note of Commission on Human Rights

9/ Resolution 41/128, annex.

resolution 1990/18 of 23 February 1990, 10/ endorsed by the Economic and Social Council by its decision 1990/225 of 25 May 1990,

Reiterating the importance of the right to development for all countries, in particular the developing countries,

Mindful that the Commission on Human Rights has entered a new phase in its consideration of this matter, which is directed towards implementation and further enhancement of the right to development,

Having considered the report on the Global Consultation on the Realization of the Right to Development as a Human Right, 11/

Reaffirming the need for an evaluation mechanism so as to ensure the promotion, encouragement and reinforcement of the principles contained in the Declaration on the Right to Development,

Aware of the interest in participation in the Global Consultation expressed by several Member States, specialized agencies and non-governmental organizations,

1. Takes note with interest of the report on the Global Consultation on the Realization of the Right to Development as a Human Right, which was organized by the Secretary-General in pursuance of General Assembly resolution 44/62 of 8 December 1989;

2. Expresses the hope that Governments, United Nations bodies and organs and specialized agencies and governmental and non-governmental organizations, including those active in development and human rights, will submit, at the request of the Secretary-General based on Commission on Human Rights resolution 1990/18, additional, updated and more specific views and concrete comments and proposals for further international and national action aimed at strengthening existing, or creating possible new, mechanisms for the promotion and protection of human rights, taking into account the ideas contained in chapter VII of the report on the Global Consultation and the views expressed on the issue during the debate at the forty-sixth session of the Commission, including the creation of a group of experts;

3. Reiterates the need for a continuing evaluation mechanism so as to ensure the promotion, encouragement and reinforcement of the principles contained in the declaration on the Right to Development;

4. Requests the Office of the Director-General for Development and International Economic Co-operation and the Centre for Human Rights to continue co-ordination of the various activities with regard to the implementation of the Declaration;

10/ See Official Records of the Economic and Social Council, 1990, Supplement No. 2 (E/1990/22), chap. II, sect. A.

11/ E/CN.4/1990/9/Rev.1.

5. Urges all relevant bodies of the United Nations system, particularly the specialized agencies, when planning their programmes of activities, to take due account of the Declaration and to make efforts to contribute to its application;

6. Urges the regional commissions and regional intergovernmental organizations to convene meetings of governmental experts and representative non-governmental and grass-roots organizations for the purpose of seeking agreement on arrangements for the implementation of the Declaration through international co-operation;

7. Requests the Secretary-General to inform the Commission on Human Rights at its forty-seventh session and the General Assembly at its forty-sixth session of the activities of the organizations of the United Nations system on the implementation of the Declaration;

8. Calls upon the Commission to continue to make proposals to the General Assembly, through the Economic and Social Council, on the future course of action on the question, in particular on practical measures for the implementation and enhancement of the Declaration on the Right to Development, taking into account the conclusions and recommendations of the Global Consultation and replies received;

9. Decides to consider this question at its forty-sixth session under the item entitled "Alternative approaches and ways and means within the United Nations system for improving the effective enjoyment of human rights and fundamental freedoms".

DRAFT RESOLUTION III

Respect for the right of everyone to own property alone as well as in association with others and its contribution to the economic and social development of Member States

The General Assembly,

Recalling its resolutions 41/132 of 4 December 1986 and 43/123 of 8 December 1988,

Reaffirming the right of States and their peoples freely to choose and develop their political, social, economic and cultural systems and to determine their laws and regulations,

Recognizing the value of constructive dialogue in the national context on the ways and means by which States can promote the full enjoyment of the right of everyone to own property alone as well as in association with others,

Recognizing also in this context the importance of enabling everyone to acquire property, alone or in association with others, by taking practical actions that assist the economic development of developing countries,

/...

Convinced that the right of everyone to own property alone as well as in association with others, as set forth in article 17 of the Universal Declaration of Human Rights, 12/ and as reaffirmed in paragraph 4 of the Declaration on the Rights of Disabled Persons 13/ and in article 16, paragraph 1 (h), of the Convention on the Elimination of All Forms of Discrimination against Women, 14/ is of particular significance in fostering widespread enjoyment of other basic human rights and contributes to securing the goals of economic and social development enshrined in the Charter of the United Nations,

Reaffirming, in accordance with article 29 of the Universal Declaration of Human Rights, that, in the exercise of his or her rights and freedoms, everyone shall be subject only to such limitations as are determined by law solely for the purpose of securing due recognition and respect for the rights and freedoms of others and of meeting the just requirements of morality, public order and the general welfare in a democratic society,

Taking note of the report of the Secretary-General on respect for the right of everyone to own property alone as well as in association with others and its contribution to the economic and social development of Member States, 15/

1. Recognizes that there exist in Member States many forms of legal property ownership, including private, communal, social and state forms, each of which should contribute to ensuring effective development and utilization of human resources by establishing sound bases for political, economic and social justice;

2. Affirms, in accordance with article 30 of the Universal Declaration of Human Rights, that nothing in the Declaration, including the right of everyone to own property alone as well as in association with others, may be interpreted as implying for any State, group or person any right to engage in any activity or to perform any act aimed at the destruction of any of the rights and freedoms proclaimed therein;

3. Considers that further measures may be appropriate at the national level, consistent with national policies, to ensure respect for the right of everyone to own property alone as well as in association with others and the right not to be arbitrarily deprived of one's property, as set forth in article 17 of the Universal Declaration of Human Rights, so as to protect and preserve these rights in relation to the following types of property:

(a) Personal property, including the residence of one's self and family;

12/ Resolution 217 A (III).

13/ Resolution 3447 (XXX).

14/ Resolution 34/180, annex.

15/ A/45/523.

(b) Economically productive property, including property associated with agriculture, commerce and industry;

4. Urges States, therefore, in accordance with their respective constitutional systems and the Universal Declaration of Human Rights, to provide, where they have not done so, adequate constitutional and legal provisions to protect the right of everyone to own property alone as well as in association with others and the right not to be arbitrarily deprived of one's property;

5. Requests the Commission on Human Rights, while addressing the question of the realization in all countries of the economic, social and cultural rights contained in the Universal Declaration of Human Rights and in the International Covenant on Economic, Social and Cultural Rights, 16/ to consider the means whereby and the degree to which respect for the right to own property alone as well as in association with others contributes to the development of individual liberty and initiative, which serve to foster, strengthen and enhance the exercise of other human rights and fundamental freedoms;

6. Decides to consider this question at its forty-seventh session under the item entitled "Alternative approaches and ways and means within the United Nations system for improving the effective enjoyment of human rights and fundamental freedoms".

DRAFT RESOLUTION IV

Development of public information activities in the field of human rights

The General Assembly,

Reaffirming that activities to improve public knowledge in the field of human rights are essential to the fulfilment of the purposes of the United Nations set out in Article 1, paragraph 3, of the Charter of the United Nations and that carefully designed programmes of teaching, education and information are essential to the achievement of lasting respect for human rights and fundamental freedoms,

Recalling the resolutions adopted on this subject, in particular its resolutions 43/128 of 8 December 1988 and 44/61 of 8 December 1989, and taking note of Commission on Human Rights resolution 1990/73 of 7 March 1990, 17/

Recognizing the catalytic effect of initiatives of the United Nations on national and regional public information activities in the field of human rights,

16/ Resolution 2200 A (XXI), annex.

17/ See Official Records of the Economic and Social Council, 1990, Supplement No. 2 (E/1990/22), chap. II, sect. A.

Recognizing also the valuable role that non-governmental organizations can play in those endeavours,

Recognizing further that the eradication of illiteracy will further the promotion and protection of human rights,

Believing that the World Public Information Campaign on Human Rights is a valuable complement to the activities of the United Nations further to promote and to protect human rights world wide,

1. Takes note of the report of the Secretary-General on the development of the public information activities in the field of human rights; 18/

2. Reaffirms the need for information materials on human rights to be carefully designed in clear and accessible form, to be tailored to regional and national requirements and circumstances with specific target audiences in mind and to be effectively disseminated in national and local languages and in sufficient volume to have the desired impact, and for effective use also to be made of the mass media, in particular radio and television and audio-visual technologies, in order to reach wider audiences, with priority being given to children, other young people and the disadvantaged, including those in isolated areas;

3. Urges the Secretariat to take measures to ensure the further production and effective dissemination of human rights information materials, especially those on the basic United Nations human rights instruments and institutions, in national and local languages, in co-operation with regional, national and local organizations as well as with Governments, making full and effective use of the United Nations information centres;

4. Requests the Secretary-General to produce audio-visual materials on human rights issues that could be used as effective tools of information within the framework of the World Public Information Campaign for Human Rights and which would be made available at United Nations information centres and United Nations offices world wide and to report on the progress made to the Commission on Human Rights at its forty-seventh session;

5. Encourages the efforts of the Secretariat to establish, within available resources, the collection of basic United Nations information and reference material on human rights and fundamental freedoms at each United Nations information centre;

6. Encourages all Member States to make special efforts to provide, facilitate and encourage publicity for the activities of the United Nations in the field of human rights and to accord priority to the dissemination, in their respective national and local languages, of the texts of the Universal Declaration

of Human Rights, 19/ the International Covenants on Human Rights 20/ and other international conventions, as well as to information and education on the practical ways in which the rights and freedoms enjoyed under those instruments can be exercised;

7. Urges all Member States to include in their educational curricula materials relevant to a comprehensive understanding of human rights issues, and encourages all those responsible for training in law and its enforcement, the armed forces, medicine, diplomacy and other relevant fields to include appropriate human rights components in their programmes;

8. Requests the Secretary-General to continue to draw the attention of Member States to the teaching booklet on human rights, which could serve as a broad and flexible framework adaptable to national circumstances for the structuring and development of the teaching of human rights;

9. Notes the special value, under the advisory services and technical assistance programme, of regional and national training courses and workshops, in co-operation with Governments, regional and national organizations and non-governmental organizations, in promoting practical education and awareness in the field of human rights;

10. Requests the Secretary-General to ensure the fullest effective deployment of the skills and resources of all concerned units of the Secretariat and to make available, within existing resources, and in particular from the budget of the Department of Public Information of the Secretariat, adequate funding for developing practical and effective human rights information activities, including those within the programme of the World Campaign;

11. Calls upon the Centre for Human Rights of the Secretariat, which has primary responsibility within the United Nations system in the field of human rights, to co-ordinate the substantive activities of the World Campaign pursuant to the direction of the General Assembly and the Commission on Human Rights, and to serve as liaison with Governments, regional and national institutions, non-governmental organizations and concerned individuals in the development and implementation of the activities of the World Campaign;

12. Calls upon the Department of Public Information, which has primary responsibility for public information activities, to co-ordinate the public information activities of the World Campaign and, in its responsibility as secretariat to the Joint United Nations Information Committee, to promote co-ordinated system-wide information activities in the field of human rights;

19/ Resolution 217 A (III).

20/ See resolution 2200 A (XXI), annex.

13. Stresses the need for close co-operation between the Centre for Human Rights and the Department of Public Information, inter alia, in the implementation of the aims established for the World Campaign and the need for the United Nations to harmonize its activities in the field of human rights with those of other organizations, including the International Committee of the Red Cross, with regard to the dissemination of information on international humanitarian law, and the United Nations Educational, Scientific and Cultural Organization, with regard to education for human rights;

14. Requests the Secretariat, in the implementation of the World Campaign, to take advantage, as much as possible, of the collaboration of non-governmental organizations for, inter alia, the dissemination of human rights materials, with a view to increasing universal awareness of human rights and fundamental freedoms;

15. Requests the Commission on Human Rights, at its forty-seventh session, on the basis of the report of the Secretary-General, to give priority consideration to this question with a view to providing appropriate guidance on the aims and activities of the World Campaign;

16. Requests the Secretary-General to submit to the General Assembly at its forty-seventh session a comprehensive report on the implementation of the present resolution for consideration under the item entitled "Alternative approaches and ways and means within the United Nations system for improving the effective enjoyment of human rights and fundamental freedoms".

* * *

22. The Third Committee also recommends to the General Assembly the adoption of the following draft decision:

The General Assembly,

Recalling its resolution 43/124 of 8 December 1988,

Requests the Secretary-General to seek the views of Member States on its resolution 43/124 regarding the impact of property on the enjoyment of human rights and fundamental freedoms, and to report thereon to the General Assembly at its forty-seventh session.



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NEW INTERNATIONAL HUMANITARIAN ORDER

Report of the Third Committee

Rapporteur: Mr. Mario L. DE LEON (Philippines)

I. INTRODUCTION

1. At its 3rd plenary meeting, on 21 September 1990, the General Assembly, on the recommendation of the General Committee, decided to include in its agenda the item entitled "New international humanitarian order" and to allocate it to the Third Committee.
2. The Committee considered the item at its 24th to 27th, 36th and 45th meetings, on 30 and 31 October and 8 and 16 November 1990. An account of the Committee's discussion is contained in the relevant summary records (A/C.3/45/SR.24-27, 36 and 45).
3. For its consideration of the item, the Committee had before it the following documents:
 - (a) Report of the Secretary-General on the new international humanitarian order and international co-operation in the humanitarian field (A/45/524);
 - (b) Report of the Secretary-General on humanitarian assistance to victims of natural disasters and similar emergency situations (A/45/587).
4. At the 24th meeting, the Under-Secretary-General and Co-ordinator of the Office of the United Nations Disaster Relief Co-ordinator and the Director of the Legislation and Prevention of Discrimination Branch of the Centre for Human Rights of the United Nations Office at Geneva made introductory statements (see A/C.3/45/SR.24).

II. CONSIDERATION OF PROPOSALS

A. Draft resolution A/C.3/45/L.27

5. At the 36th meeting, on 8 November, the representative of France, on behalf of Bahrain, Bangladesh, Belgium, Benin, Burkina Faso, Burundi, the Byelorussian Soviet Socialist Republic, the Central African Republic, Chad, Chile, Costa Rica, Côte d'Ivoire, Denmark, France, Gabon, Greece, Guatemala, Guinea, Guinea-Bissau, Honduras, Italy, Jamaica, Japan, Jordan, Lebanon, Lesotho, Luxembourg, Malaysia, Mali, Malta, Mauritania, Morocco, Nepal, Niger, the Philippines, Portugal, Romania, Samoa, Senegal, Sierra Leone, Suriname, Thailand, Togo, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland, the United States of America, Yugoslavia and Zaire, introduced a draft resolution (A/C.3/45/L.27) entitled "Humanitarian assistance to victims of natural disasters and similar emergency situations". Subsequently, Guyana joined in sponsoring the draft resolution. In introducing the draft resolution, the representative of France orally revised it as follows:

(a) In operative paragraph 6, the words "by Governments and the" were replaced with the words "by affected Governments and the Governments and" before the word "intergovernmental";

(b) In operative paragraph 8, before the words "emergency situations", the word "similar" was added and the words "on the basis of the report of the Secretary-General and" were added after the words "relief corridors,".

6. At its 45th meeting, on 16 November, the Committee adopted the draft resolution as orally revised without a vote (see para. 12, draft resolution I).

7. After the adoption of the draft resolution, the representative of Brazil made a statement (see A/C.3/45/SR.45).

B. Draft resolution A/C.3/45/L.31

8. At the 36th meeting, the representative of Jordan, on behalf of Algeria, Austria, Bahrain, Bangladesh, Belgium, Bulgaria, Canada, Chile, Colombia, Costa Rica, Czechoslovakia, Denmark, Djibouti, Ecuador, France, Greece, Indonesia, Italy, Jamaica, Japan, Jordan, Lebanon, Lesotho, the Libyan Arab Jamahiriya, Mauritania, Morocco, Oman, Pakistan, Peru, Qatar, Romania, Saudi Arabia, Senegal, Sierra Leone, Somalia, the Sudan, Tunisia, the Union of Soviet Socialist Republics, the United Arab Emirates, Yemen and Yugoslavia, introduced a draft resolution (A/C.3/45/L.31) entitled "New international humanitarian order". Subsequently, the Philippines joined in sponsoring the draft resolution.

9. At its 45th meeting, the Committee adopted the draft resolution without a vote (see para. 12, draft resolution II).

C. Draft resolution A/C.3/45/L.34

10. At the 36th meeting, the representative of the Union of Soviet Socialist Republics, on behalf of Austria, Bulgaria, France, Jordan, Malaysia, Mongolia, Morocco and the Union of Soviet Socialist Republics, introduced a draft resolution (A/C.3/45/L.34) entitled "Promotion of international co-operation in the humanitarian field".

11. At the 45th meeting, on 16 November, the Committee adopted the draft resolution without a vote (see para. 12, draft resolution III).

III. RECOMMENDATIONS OF THE THIRD COMMITTEE

12. The Third Committee recommends to the General Assembly the adoption of the following draft resolutions:

DRAFT RESOLUTION I

Humanitarian assistance to victims of natural disasters and similar emergency situations

The General Assembly,

Recalling its resolution 43/131 of 8 December 1988 on humanitarian assistance to victims of natural disasters and similar emergency situations,

Recalling that one of the principles of the United Nations is to achieve international co-operation in solving international problems of an economic, social, cultural or humanitarian character, and in promoting and encouraging respect for human rights and fundamental freedoms for all without distinction as to race, sex, language, or religion,

Reaffirming the sovereignty, territorial integrity and national unity of States, and recognizing that it is up to each State first and foremost to take care of the victims of natural disasters and similar emergency situations occurring on its territory,

Deeply concerned about the suffering of the victims of natural disasters and similar emergency situations, the loss in human lives, the destruction of property and the mass displacement of populations that results from them,

Concerned about the fate of persons who, following such displacement, are in an extremely precarious situation, particularly in a country other than that of which they are nationals,

Considering that the abandonment of the victims of natural disasters and similar emergency situations without humanitarian assistance constitutes a threat to human life and an offence to human dignity,

/...

Strongly desiring that the international community should respond speedily and effectively to the needs for emergency humanitarian assistance expressed in particular by the Secretary-General,

Concerned about the difficulties and obstacles that victims of natural disasters and similar emergency situations may encounter in receiving humanitarian assistance,

Convinced that, in providing humanitarian assistance, in particular the supply of food, medicines or health care, for which access to victims is essential, rapid relief will avoid a tragic increase in their number,

Recalling, in this regard, the declaration 1/ adopted at Cairo at the fifteenth session of the World Food Council proposing, inter alia, an international agreement on the transport of emergency food aid,

Aware that alongside the action of Governments and intergovernmental organizations, the speed and efficiency of this assistance often depends on the help and aid of local and non-governmental organizations working in an impartial manner and with strictly humanitarian motives,

Reaffirming the need for the intergovernmental, governmental and non-governmental organizations dealing with humanitarian assistance to co-operate as closely as possible with the Office of the United Nations Disaster Relief Co-ordinator or any ad hoc mechanism set up by the Secretary-General in the co-ordination of aid,

Concerned about the effectiveness of such assistance, which requires an accurate evaluation of needs, efficient preparation of actions and effective co-ordination in conducting them,

Recalling that, in the event of natural disasters and similar emergency situations, the principles of humanity, neutrality and impartiality must be given utmost consideration by all those involved in providing humanitarian assistance,

1. Reaffirms the cardinal importance of humanitarian assistance for the victims of natural disasters and similar emergency situations;
2. Reaffirms also the sovereignty of affected States and their primary role in the initiation, organization, co-ordination and implementation of humanitarian assistance within their respective territories;
3. Stresses the important contribution made in providing humanitarian assistance by intergovernmental and non-governmental organizations working impartially and with strictly humanitarian motives;

1/ Official Records of the General Assembly, Forty-fourth Session, Supplement No. 19 (A/44/19), part one.

4. Invites all States whose populations are in need of such assistance to facilitate the work of these organizations in implementing humanitarian assistance, in particular the supply of food, medicines and health care, for which access to victims is essential;

5. Appeals, therefore, to all States to give their support to these organizations working to provide humanitarian assistance, where needed, to the victims of natural disasters and similar emergency situations;

6. Notes with satisfaction the report of the Secretary-General 2/ on the implementation of resolution 43/131 and the suggestions which he makes concerning means of facilitating humanitarian assistance operations, in particular the possibility of establishing, on a temporary basis, where needed, and by means of concerted action by affected Governments and the Governments and intergovernmental, governmental and non-governmental organizations concerned, of relief corridors for the distribution of emergency medical and food aid;

7. Urges States in proximity to areas of natural disasters and similar emergency situations, particularly in the case of regions that are difficult to reach, to participate closely with the affected countries in international efforts with a view to facilitating, to the extent possible, the transit of humanitarian assistance;

8. Requests the Secretary-General, from within existing resources, to pursue the necessary consultations with Governments and intergovernmental, governmental and non-governmental organizations with a view to determining means of facilitating the delivery of appropriate humanitarian assistance to the victims of natural disasters or similar emergency situations, including the establishment of relief corridors, on the basis of the report of the Secretary-General and on the terms set out in paragraph 6 of this resolution, and to report thereon to the General Assembly at its forty-seventh session;

9. Invites the Secretary-General, from within existing resources, to study the possibility of preparing, on the basis of information furnished by Governments and the relevant governmental and non-governmental international organizations and taking into account the work already done in this area by the United Nations, in particular by the Office of the United Nations Disaster Relief Co-ordinator, an indicative list of persons and bodies with expert knowledge of the delivery and management of emergency humanitarian assistance whom the United Nations could call upon, with the consent of the States concerned, to make an accurate and speedy assessment of the needs and a realistic determination of the best means of delivering the aid;

10. Decides to consider this question at its forty-seventh session.

2/ A/45/587.

DRAFT RESOLUTION II

New international humanitarian order

The General Assembly,

Recalling its resolutions 36/136 of 14 December 1981, 37/201 of 18 December 1982, 38/125 of 16 December 1983, 40/126 of 13 December 1985, 42/120 and 42/121 of 7 December 1987 and 43/129 of 8 December 1988 relating to the promotion of a new international humanitarian order,

Taking note of the report of the Secretary-General ^{3/} and the comments made by various Governments regarding the humanitarian order and the work done in this regard by the Independent Commission on International Humanitarian Issues,

Noting the actions being taken by the specialized agencies and programmes of the United Nations system with regard to the humanitarian issues, examined by the Independent Commission, that fall within their respective mandates,

Recognizing with concern the continuing need further to strengthen international responses to growing humanitarian challenges and to adjust actions of governmental and non-governmental organizations to new realities in a fast-changing world,

Bearing in mind the importance of creative humanitarian action at both the international as well as the regional and national levels to alleviate human suffering and to promote durable solutions to humanitarian problems,

Convinced of the need for active follow-up to the recommendations and suggestions made by the Independent Commission and of the role being played in this regard by the Independent Bureau for Humanitarian Issues set up for the purpose,

1. Expresses its appreciation to the Secretary-General for his continuing active support to the efforts to promote a new international humanitarian order;
2. Encourages Governments as well as governmental and non-governmental organizations that have not yet done so to provide their comments and expertise to the Secretary-General regarding the humanitarian order and the report of the Independent Commission on International Humanitarian Issues;
3. Invites the Independent Bureau for Humanitarian Issues to continue and further strengthen its essential role in following up the work of the Independent Commission;
4. Invites Governments to make available to the Secretary-General, on a voluntary basis, information and expertise on humanitarian issues of concern to them in order to identify opportunities for future action;

^{3/} A/45/524.

5. Requests the Secretary-General to remain in contact with Governments as well as governmental and non-governmental organizations and the Independent Bureau for Humanitarian Issues and to report on the progress made by them to the General Assembly at its forty-seventh session;

6. Decides to review at its forty-seventh session the question of a new international humanitarian order.

DRAFT RESOLUTION III

Promotion of international co-operation in the humanitarian field

The General Assembly,

Recalling its resolutions 42/121 of 7 December 1987 and 43/130 of 8 December 1988,

Noting that one of the purposes of the United Nations, set forth in its Charter, is to achieve international co-operation in solving international problems of a humanitarian character,

Recalling the Universal Declaration of Human Rights, 4/ which proclaims, inter alia, that recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world,

Recalling also that everyone is entitled to a social and international order in which universally recognized human rights and fundamental freedoms can be fully realized,

Mindful of the fact that unresolved humanitarian problems may impede the effective realization of human rights and even lead to violations of these rights,

Convinced that solving humanitarian problems requires co-operation and harmonization of actions taken by Governments, international bodies, non-governmental organizations and individuals,

Mindful of the significance of the existing workable system to promote, facilitate and co-ordinate humanitarian activities carried out by Governments, the United Nations system and intergovernmental and non-governmental organizations,

1. Calls upon Governments, the United Nations system and intergovernmental and non-governmental organizations further to develop international co-operation in the humanitarian field;

4/ Resolution 217 A (III).

2. Reiterates that international co-operation in the humanitarian field will facilitate better understanding, mutual respect, confidence and tolerance among countries and peoples, thus contributing to a more just and non-violent world;

3. Notes the need to identify humanitarian problems of the highest priority and to develop a universal strategy of action in the humanitarian field;

4. Invites Governments to promote, within existing mechanisms, regular exchanges of information and of national experience in addressing humanitarian problems;

5. Calls for the broadening of the concept of international co-operation in the humanitarian field through effective bilateral dialogue and activities pertaining to specific humanitarian issues;

6. Encourages the international community to contribute substantially and regularly to international humanitarian activities;

7. Invites all non-governmental organizations concerned with the humanitarian issues examined by the Independent Commission on International Humanitarian Issues and working with strictly humanitarian motives to bear in mind the recommendations and suggestions made in the report 5/ of the Independent Commission in the context of their policies and actions in the field;

8. Decides to consider this issue at its forty-seventh session under the item entitled "New international humanitarian order".

5/ Winning the Human Race? The Report of the Independent Commission on International Humanitarian Issues (London and New Jersey, Zed Books Ltd., 1988).



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POLICIES AND PROGRAMMES INVOLVING YOUTH

Report of the Third Committee

Rapporteur: Mr. Mario DE LEON (Philippines)

I. INTRODUCTION

1. At its 3rd plenary meeting, on 21 September 1990, the General Assembly, on the recommendation of the General Committee, decided to include in its agenda the item entitled "Policies and programmes involving youth" and to allocate it to the Third Committee.

2. The Committee considered the item jointly with items 90, 92, 99 and 104 at its 11th to 17th, 25th and 37th meetings, on 17 to 23 and 30 October and 9 November 1990. An account of the Committee's discussion is contained in the relevant summary records (A/C.3/45/SR.11-17, 25 and 37).

3. For its consideration of the item, the Committee had before it the following documents:

(a) Report of the Secretary-General on policies and programmes involving young people; participation, development, peace (A/45/422);

(b) Letter dated 19 April 1990 from the Chargé d'affaires a.i. of the Permanent Mission of Israel to the United Nations addressed to the Secretary-General (A/45/225-S/21256);

(c) Letter dated 20 April 1990 from the Chargé d'affaires a.i. of the Permanent Mission of Israel to the United Nations addressed to the Secretary-General (A/45/227-S/21260);

(d) Letter dated 16 May 1990 from the Permanent Representative of Iraq to the United Nations addressed to the Secretary-General (A/45/280);

(e) Letter dated 9 July 1990 from the Permanent Representative of Albania to the United Nations addressed to the Secretary-General (A/45/338-E/1990/103).

4. At the 11th meeting, on 17 October, the Director-General of the United Nations Office at Vienna and the Director of the Social Development Division made introductory statements (see A/C.3/45/SR.11).

II. CONSIDERATION OF DRAFT RESOLUTION A/C.3/45/L.13

5. At the 25th meeting, on 30 October, the representative of Austria introduced a draft resolution (A/C.3/45/L.13), entitled "Policies and programmes involving youth", also sponsored by Czechoslovakia, Egypt, the Netherlands and Romania.

6. At its 37th meeting, on 9 November, the Committee adopted the draft resolution without a vote (see para. 7).

III. RECOMMENDATION OF THE THIRD COMMITTEE

7. The Third Committee recommends to the General Assembly the adoption of the following draft resolution:

Policies and programmes involving youth

The General Assembly,

Recalling its resolutions 32/135 of 16 December 1977 and 36/17 of 9 November 1981, by which it adopted guidelines for the improvement of the channels of communication between the United Nations and youth and youth organizations, and its other relevant resolutions,

Recalling also its resolution 40/14 entitled "International Youth Year: Participation, Development, Peace", adopted on 18 November 1985 by the General Assembly acting as the United Nations World Conference for the International Youth Year, by which the guidelines for further planning and suitable follow-up in the field of youth 1/ were endorsed, and its other relevant resolutions,

Recalling further its resolution 44/59 of 8 December 1989,

Noting that the year 1995 will mark the fiftieth anniversary of the Charter of the United Nations and the tenth anniversary of International Youth Year,

Recognizing that, in implementing the guidelines, priority should be given to the enjoyment by youth of human rights, including the right to education and to work, and to the resolution of other urgent problems faced by young people in the

1/ See A/40/256, annex.

present-day world, such as hunger, drug abuse, diseases, including acquired immunodeficiency syndrome, and the deterioration of the environment,

Mindful of the Convention on the Rights of the Child, 2/ which entered into force on 2 September 1990, the World Declaration on the Survival, Protection and Development of Children and the Plan of Action adopted by the World Summit for Children 3/ and the International Year of the Family proclaimed by the General Assembly in its resolution 44/82 of 8 December 1989,

1. Calls upon all States, all United Nations bodies, in particular the Economic and Social Council through the Commission for Social Development, the specialized agencies and the intergovernmental and non-governmental organizations concerned, in particular youth organizations, to continue to exert all possible efforts for the implementation of the guidelines for further planning and suitable follow-up in the field of youth;
2. Requests the Secretary-General to continue to promote and monitor, by using the Centre for Social Development and Humanitarian Affairs of the Secretariat as a focal point, the inclusion of youth-related projects and activities in the programmes of the United Nations bodies and the specialized agencies, specifically on such themes as communication, health, malnutrition, poverty, housing, culture, youth employment, illiteracy, juvenile delinquency, education and leisure-time activities, drug abuse and the environment;
3. Calls upon Member States to enable young people to obtain a modern education on such subjects as environmental issues;
4. Decides to devote a plenary meeting at its fiftieth session to youth questions, as 1995 marks the fiftieth anniversary of the Charter of the United Nations and the tenth anniversary of International Youth Year;
5. Calls upon the United Nations Postal Administration to produce in 1995 commemorative United Nations stamps to mark the tenth anniversary of International Youth Year;
6. Emphasizes the need for a review and appraisal of the progress achieved and obstacles encountered in the implementation of the guidelines and, on the basis of the evaluation, the preparation of a global youth programme of action towards the year 2000 and beyond, with a target orientation and within a specific time-frame;
7. Invites all Member States to consider preparing a national plan of action based on an analytical national evaluation of the situation and needs of youth;

2/ Resolution 44/25, annex.

3/ A/45/625, annex.

8. Calls again upon Member States, United Nations bodies, the specialized agencies and other governmental and intergovernmental organizations to implement fully the guidelines relating to the channels of communications adopted by the General Assembly in its resolutions 32/135 and 36/17;

9. Requests the regional commissions, as appropriate, together with regional youth and youth-serving organizations, to undertake a comprehensive review of progress achieved and obstacles encountered in the region since 1985 and to propose draft regional youth programmes of action towards the year 2000 and beyond;

10. Requests the Secretary-General to prepare a draft world youth programme of action towards the year 2000 and beyond in accordance with proposals to be submitted by Member States, the United Nations and non-governmental youth organizations, and in consultation with the specialized agencies and other organizations of the United Nations system and the relevant intergovernmental and non-governmental organizations, and to report thereon to the General Assembly at its forty-sixth session;

11. Calls upon youth mechanisms that have been set up by youth and youth organizations at the national, regional and international levels to continue to act as channels of communication between the United Nations system and youth and youth organizations and, especially, to contribute to the preparations for the tenth anniversary of International Youth Year and to the formulation of a world youth programme of action towards the year 2000 and beyond;

12. Again invites Governments to include youth representatives in their national delegations to the General Assembly and other relevant United Nations meetings, thus enhancing and strengthening the channels of communication through the discussion of such issues, with a view to finding solutions to the problems confronting youth in the contemporary world;

13. Invites Governments, intergovernmental and non-governmental organizations to contribute to the United Nations Youth Fund, in order to enable it to continue its mandated role and to contribute effectively to the needs of developing countries in the field of youth;

14. Decides to consider the item entitled "Policies and programmes involving youth" at its forty-sixth session on the basis of a report of the Secretary-General on the implementation of the present resolution.



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7 December 1990

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Agenda item 97

IMPLEMENTATION OF THE CONVENTION ON THE RIGHTS OF THE CHILD

Report of the Third Committee

Rapporteur: Mr. Mario DE LEON (Philippines)

I. INTRODUCTION

1. At its 3rd plenary meeting, on 21 September 1990, the General Assembly, on the recommendation of the General Committee, decided to include in its agenda the item entitled "Implementation of the Convention on the Rights of the Child" and to allocate it to the Third Committee.

2. The Third Committee considered this item jointly with items 89, 93, 105, 106, 109 and 110 at its 35th to 42nd, 49th, 51st, 55th, 57th, 59th, 61st and 62nd meetings, on 7 to 9, 12 to 14, 21, 23 and 28 to 30 November, and 3 and 4 December 1990. An account of the Committee's general discussion of the item is contained in the relevant summary records (A/C.3/45/SR.35-42).

3. For its consideration of the item, the Committee had before it the following documentation:

(a) Report of the Secretary-General on the status of the Convention on the Rights of the Child (A/45/473);

(b) Letter dated 4 April 1990 from the Chargé d'affaires a.i. of the Permanent Mission of Israel to the United Nations addressed to the Secretary-General (A/45/202-S/21230);

(c) Letter dated 18 April 1990 from the Chargé d'affaires a.i. of the Permanent Mission of Israel to the United Nations addressed to the Secretary-General (A/45/222-S/21255);

(d) Letter dated 2 May 1990 from the Chargé d'affaires a.i. of the Permanent Mission of Israel to the United Nations addressed to the Secretary-General (A/45/265-S/21284);

(e) Letter dated 7 May 1990 from the Chargé d'affaires a.i. of the Permanent Mission of Israel to the United Nations addressed to the Secretary-General (A/45/269-S/21288).

4. At the 35th meeting, on 7 November, the Director of the Implementation of International Instruments and Procedures Branch of the Centre for Human Rights made an introductory statement on the item (see A/C.3/45/SR.35).

II. CONSIDERATION OF DRAFT RESOLUTION A/C.3/45/L.51

5. At the 49th meeting, on 21 November, the representative of Poland, on behalf of Argentina, Australia, Austria, the Bahamas, Bangladesh, Belgium, Bolivia, Brazil, Bulgaria, Burkina Faso, Burundi, the Byelorussian Soviet Socialist Republic, Cameroon, Canada, Chile, China, Colombia, the Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Denmark, the Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Finland, France, Germany, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Honduras, Hungary, Iceland, Indonesia, Ireland, Italy, Jordan, Kenya, Lesotho, the Libyan Arab Jamahiriya, Liechtenstein, Luxembourg, Madagascar, Mali, Malta, Mauritania, Mexico, Mongolia, Morocco, Namibia, Nepal, New Zealand, Nicaragua, Nigeria, Norway, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, the Philippines, Poland, Portugal, Romania, Samoa, Senegal, Spain, Sri Lanka, Suriname, Sweden, the Syrian Arab Republic, Togo, Tunisia, Turkey, the Ukrainian Soviet Socialist Republic, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland, Uruguay, Venezuela, Viet Nam, Yugoslavia, Zambia and Zimbabwe, introduced a draft resolution (A/C.3/45/L.51) entitled "Convention on the Rights of the Child". Subsequently, Botswana, Niger and Saint Kitts and Nevis joined in sponsoring the draft resolution.

6. At the 55th meeting, on 28 November, the Committee adopted the draft resolution without a vote (see para. 7).

III. RECOMMENDATION OF THE THIRD COMMITTEE

7. The Third Committee recommends to the General Assembly the adoption of the following draft resolution:

Convention on the Rights of the Child

The General Assembly,

Recalling its previous resolutions and those of the Commission on Human Rights and the Economic and Social Council related to the question of a convention on the rights of the child,

Recalling in particular its resolution 44/25 of 20 November 1989, by which it adopted and opened for signature, ratification and accession the Convention on the Rights of the Child and called upon all States to consider signing and ratifying or acceding to the Convention as a matter of priority,

Reaffirming that children's rights require special protection and call for continuous improvement of the situation of children all over the world, as well as for their development and education in conditions of peace and security,

Profoundly concerned that the situation of children in many parts of the world remains critical as a result of inadequate social conditions, natural disasters, armed conflicts, exploitation, illiteracy, hunger and disability, and convinced that urgent and effective national and international action is called for,

Mindful of the important role of the United Nations Children's Fund and of that of the United Nations in promoting the well-being of children and their development,

Convinced that the Convention on the Rights of the Child, as a standard-setting accomplishment of the United Nations in the field of human rights, makes a positive contribution to protecting children's rights and ensuring their well-being,

Welcoming with satisfaction the successful conclusion of the World Summit for Children, held in New York on 29 and 30 September 1990, in particular the adoption of the World Declaration on the Survival, Protection and Development of Children and the Plan of Action for Implementing the World Declaration on the Survival, Protection and Development of Children in the 1990s, 1/ and stressing the necessity to ensure the follow-up of the Summit at the national and international levels,

Encouraged by the fact that an unprecedented number of States have to date become signatories and parties to the Convention, thereby demonstrating the widespread commitment that exists to strive for the promotion and protection of the rights of the child,

1. Takes note with appreciation of the report of the Secretary-General on the status of the Convention on the Rights of the Child; 2/

2. Welcomes with deep satisfaction the entry into force of the Convention on 2 September 1990 as a major step in international efforts to promote universal respect for and observance of human rights and fundamental freedoms;

3. Expresses its satisfaction at the number of States that have signed, ratified or acceded to the Convention since it was opened for signature, ratification and accession on 26 January 1990;

1/ A/45/625, annex.

2/ A/45/473.

4. Calls upon all States that have not done so to sign, ratify or accede to the Convention as a matter of priority;

5. Requests the Secretary-General to provide all facilities and assistance necessary for the dissemination of information on the Convention and its implementation with a view to promoting further ratification of or accession to the Convention;

6. Emphasizes the importance of the strictest compliance by States parties with their obligations under the Convention;

7. Recognizes the importance of the establishment of the Committee on the Rights of the Child as an essential mechanism for overseeing the effective implementation of the provisions of the Convention;

8. Requests the Secretary-General to ensure the provision of appropriate staff and facilities for the effective performance of the functions of the Committee on the Rights of the Child;

9. Invites United Nations agencies and organizations as well as intergovernmental and non-governmental organizations to intensify their efforts with a view to disseminating information on the Convention and promoting its understanding;

10. Requests the Secretary-General to submit to the General Assembly at its forty-sixth session a report on the status of the Convention on the Rights of the Child;

11. Decides to consider the report of the Secretary-General at its forty-sixth session under the item entitled "Implementation of the Convention on the Rights of the Child".



General Assembly

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Forty-fifth session
Agenda item 98

IMPLEMENTATION OF THE PROGRAMME OF ACTION FOR THE SECOND DECADE
TO COMBAT RACISM AND RACIAL DISCRIMINATION

Report of the Third Committee

Rapporteur: Mr. Mario DE LEON (Philippines)

I. INTRODUCTION

1. At its 3rd plenary meeting, on 21 September 1990, the General Assembly, on the recommendation of the General Committee, decided to include in its agenda the item entitled "Implementation of the Programme of Action for the Second Decade to Combat Racism and Racial Discrimination" and to allocate it to the Third Committee.
2. The Committee considered this item jointly with items 88, 91 and 103 at its 4th to 10th, 18th, 28th, 29th and 31st meetings, on 10 to 12, 15, 16 and 24 October and 1, 2 and 5 November 1990. An account of the Committee's general discussion of the item is contained in the relevant summary records (A/C.3/45/SR.4-10).
3. For its consideration of the item, the Committee had before it the following documentation:
 - (a) Report of the Economic and Social Council; 1/
 - (b) Letter dated 20 March 1990 from the Chargé d'affaires a.i. of the Permanent Mission of Hungary to the United Nations addressed to the Secretary-General (A/45/174);

1/ See Official Records of the General Assembly, Forty-fifth session, Supplement No. 3 (A/45/3), chap. III, sect. A.

(c) Report of the Secretary-General on the implementation of the Programme of Action for the Second Decade to Combat Racism and Racial Discrimination (A/45/443);

(d) Note by the Secretary-General transmitting the report of the Special Rapporteur entitled "Study on the achievements made and obstacles encountered during the Decades to Combat Racism and Racial Discrimination" (A/45/525).

4. As a background document, the Committee also had before it a report of the Secretary-General on the Second Decade to Combat Racism and Racial Discrimination (E/1990/20 and Add.1).

5. At the 3rd meeting, on 8 October 1990, the Under-Secretary-General for Human Rights made an introductory statement on the item (see A/C.3/45/SR.3).

II. CONSIDERATION OF DRAFT RESOLUTION A/C.3/45/L.5

6. At the 18th meeting, on 24 October, the representative of Sierra Leone, on behalf of the States Members of the United Nations that are members of the Group of African States, introduced a draft resolution (A/C.3/45/L.5) entitled "Second Decade to Combat Racism and Racial Discrimination".

7. At the 29th meeting, on 2 November 1990, the representative of Sierra Leone, on behalf of the sponsors, orally revised the draft resolution by replacing operative paragraph 9, which read:

"Welcomes the progress made in preparing model legislation for the guidance of Governments in the enactment of further legislation against racial discrimination, encourages the Secretary-General to convene a meeting of high-level experts to finalize the text of the model legislation and the handbook of recourse procedures for victims of racial discrimination and requests the Secretary-General to publish and distribute those texts as soon as possible";

by the following text:

"Welcomes the progress made in preparing model legislation for the guidance of Governments in the enactment of further legislation against racial discrimination, requests the Secretary-General to finalize the text of the model legislation and the handbook of recourse procedures for victims of racial discrimination and to publish and distribute those texts as soon as possible";

8. At the same meeting, after a statement by the representative of the United States of America (see A/C.3/45/SR.29), the Committee adopted the draft resolution as orally revised without a vote (see para. 10).

9. After the adoption of the draft resolution, statements were made by the representatives of Germany, Israel and the United Kingdom of Great Britain and Northern Ireland.

/...

III. RECOMMENDATION OF THE THIRD COMMITTEE

10. The Third Committee recommends to the General Assembly the adoption of the following draft resolution:

Second Decade to Combat Racism and Racial Discrimination

The General Assembly,

Reaffirming its objective set forth in the Charter of the United Nations to achieve international co-operation in solving international problems of an economic, social, cultural or humanitarian character and in promoting and encouraging respect for human rights and fundamental freedoms for all without distinction as to race, sex, language or religion,

Reaffirming also its firm determination and its commitment to eradicate totally and unconditionally racism in all its forms, racial discrimination and apartheid,

Recalling the Universal Declaration of Human Rights, 2/ the International Convention on the Elimination of All Forms of Racial Discrimination, 3/ the International Convention on the Suppression and Punishment of the Crime of Apartheid, 4/ the Convention against Discrimination in Education adopted by the United Nations Educational, Scientific and Cultural Organization on 14 December 1960, 5/

Recalling also its resolution 3057 (XXVIII) of 2 November 1973, on the first Decade for Action to Combat Racism and Racial Discrimination, and its resolution 38/14 of 22 November 1983, on the Second Decade to Combat Racism and Racial Discrimination,

Recalling further the two World Conferences to Combat Racism and Racial Discrimination, held at Geneva in 1978 and 1983,

Bearing in mind the Report of the Second World Conference to Combat Racism and Racial Discrimination, 6/

2/ Resolution 217 A (III).

3/ Resolution 2106 A (XX), annex.

4/ Resolution 3068 (XXVIII), annex.

5/ United Nations Educational, Scientific and Cultural Organization, Records of the General Conference, Eleventh Session, Resolutions, p. 119.

6/ United Nations publication, Sales No. E.83.XIV.4 and corrigendum.

Convinced that the Second World Conference represented a positive contribution by the international community towards attaining the objectives of the Decade, through its adoption of a Declaration 7/ and an operational Programme of Action 7/ for the Second Decade to Combat Racism and Racial Discrimination,

Noting with concern that, despite the efforts of the international community, the principal objectives of the first Decade for Action to Combat Racism and Racial Discrimination were not attained and that millions of human beings continue to this day to be the victims of varied forms of racism, racial discrimination and apartheid,

Recalling its resolutions 39/16 of 23 November 1984, 42/47 of 30 November 1987, 43/91 of 8 December 1988 and 44/52 of 8 December 1989,

Emphasizing once again the necessity of attaining the objectives of the Second Decade to Combat Racism and Racial Discrimination,

Having considered the note by the Secretary-General 8/ and his report 9/ submitted within the framework of the implementation of the Programme of Action for the Second Decade,

Firmly convinced of the need to take more effective and sustained international measures for the elimination of all forms of racism and racial discrimination and the total eradication of apartheid in South Africa,

Regretting that certain activities of the Second Decade scheduled for the period 1985-1989 have not been implemented owing to a lack of financial resources,

Recognizing the importance of strengthening, where necessary, national legislation and institutions for the promotion of racial harmony,

Aware of the importance and the magnitude of the phenomenon of migrant workers, as well as the efforts undertaken by the international community to improve the protection of the human rights of migrant workers and their families,

Welcoming the Declaration on Apartheid and its Destructive Consequences in Southern Africa, 10/ unanimously adopted by the General Assembly at its sixteenth special session, on 14 December 1989, which offers guidelines on how to end apartheid,

7/ Ibid., chap. II.

8/ A/45/525.

9/ A/45/443.

10/ Resolution S-16/1.

1. Declares once again that all forms of racism and racial discrimination, particularly in their institutionalized form, such as apartheid, or resulting from official doctrines of racial superiority or exclusivity, are among the most serious violations of human rights in the contemporary world and must be combated by all available means;

2. Decides that the international community, in general, and the United Nations, in particular, should continue to give the highest priority to programmes for combating racism, racial discrimination and apartheid and intensify their efforts, during the Second Decade to Combat Racism and Racial Discrimination, to provide assistance and relief to the victims of racism and all forms of racial discrimination and apartheid, especially in South Africa and in occupied territories and territories under alien domination;

3. Appeals to all Governments and to international and non-governmental organizations to increase and intensify their activities to combat racism, racial discrimination and apartheid and to provide relief and assistance to the victims of these evils;

4. Takes note of the report submitted by the Secretary-General 9/ containing information on the activities of Governments, specialized agencies, regional intergovernmental organizations and non-governmental organizations, as well as United Nations organs, to give effect to the Programme of Action for the Second Decade to Combat Racism and Racial Discrimination;

5. Notes and commends the efforts made to co-ordinate all the programmes currently under implementation by the United Nations system that relate to the objectives of the Second Decade and encourages the Co-ordinator for the Second Decade to Combat Racism and Racial Discrimination to continue his efforts;

6. Welcomes the upcoming publication of the global compilation of national legislation against racism and racial discrimination 11/ and requests the Secretary-General to transmit it to Governments as soon as possible;

7. Requests the Secretary-General to continue the study on the effects of racial discrimination on the children of minorities, in particular those of migrant workers, in the field of education, training and employment, and to submit, inter alia, specific recommendations for the implementation of measures to combat the effects of that discrimination;

8. Takes notes of the reports of the Secretary-General on the study on the role of private group action to combat racism and racial discrimination; 12/

11/ HR/PUB/1990/8.

12/ A/41/550, A/43/631 and A/44/575.

9. Welcomes the progress made in preparing model legislation for the guidance of Governments in the enactment of further legislation against racial discrimination, requests the Secretary-General to finalize the text of the model legislation and the handbook of recourse procedures for victims of racial discrimination and to publish and distribute those texts as soon as possible;

10. Renews its invitation to the United Nations Educational, Scientific and Cultural Organization to expedite the preparation of teaching materials and teaching aids to promote teaching, training and education activities on human rights and against racism and racial discrimination, with particular emphasis on activities at the primary and secondary levels of education;

11. Takes note of the study by the Special Rapporteur of the Sub-Commission on Prevention of Discrimination and Protection of Minorities on the results achieved and obstacles encountered during the first Decade for Action to Combat Racism and Racial Discrimination and the first half of the Second Decade; 13/

12. Requests the Secretary-General to publish the study of the Special Rapporteur and distribute it on as wide a scale as possible;

13. Considers that all the parts of the Programme of Action for the Second Decade to Combat Racism and Racial Discrimination should receive equal attention in order to attain the objectives of the Second Decade;

14. Regrets that part of the programme for the period 1983-1989 has not yet been implemented because of lack of adequate resources, as indicated in the report of the Secretary-General to the Economic and Social Council at its first regular session of 1990; 14/

15. Requests the Secretary-General to implement immediately those activities scheduled for the period 1985-1989 not yet carried out and to proceed with the implementation of the activities scheduled for the biennium 1990-1991;

16. Affirms once again the need for the implementation of the plan of activities proposed for the period 1990-1993 contained in the annex to General Assembly resolution 42/47;

17. Requests the Secretary-General, pursuant to General Assembly resolutions 42/47 and 44/52, to ensure that the necessary and additional resources are included in the programme budget for the biennium 1990-1991 and in the proposed programme budget for the biennium 1992-1993 to provide for the implementation of the activities of the Second Decade;

18. Requests the Secretary-General to inform the Assembly of the steps taken in regard to the provisions of paragraph 17 above;

13/ A/45/525, annex.

14/ E/1990/50.

19. Also requests the Secretary-General to continue to accord the highest priority, in executing the plan of activities, to measures for combating apartheid;

20. Calls upon Governments to encourage positive change in South Africa based on the guidelines set out in the Declaration on Apartheid and its Destructive Consequences in Southern Africa, 15/ adopted by the General Assembly at its sixteenth special session, on 14 December 1989, in particular by maintaining existing measures against South Africa until there is clear evidence of profound and irreversible change;

21. Requests the Secretary-General to continue to accord special attention to the situation of migrant workers and their families and to include regularly in his reports all information on such workers;

22. Invites all Governments, United Nations bodies, the specialized agencies and other intergovernmental organizations, as well as interested non-governmental organizations in consultative status with the Economic and Social Council, to participate fully in the implementation of the plans of activities for the periods 1985-1989 and 1990-1993 by intensifying and broadening their efforts to bring about the speedy elimination of apartheid and all forms of racism and racial discrimination;

23. Considers that voluntary contributions to the Trust Fund for the Programme for the Decade for Action to Combat Racism and Racial Discrimination are indispensable for the implementation of the above-mentioned programmes;

24. Notes once again with regret that the present situation of the Trust Fund is not encouraging;

25. Strongly appeals, therefore, to all Governments, organizations and individuals in a position to do so to contribute generously to the Trust Fund and, to this end, requests the Secretary-General to continue to undertake appropriate contacts and initiatives to encourage contributions;

26. Takes note of the report on the activities of the Second Decade, 9/ and reiterates its request to the Economic and Social Council, throughout the Decade, to submit annually to the General Assembly a report containing, inter alia:

(a) An enumeration of the activities undertaken or contemplated to achieve the objectives of the Second Decade, including the activities of Governments, United Nations bodies, the specialized agencies and other international and regional organizations, as well as non-governmental organizations;

(b) A review and appraisal of those activities;

(c) Its suggestions and recommendations;

15/ Resolution S-16/1.

27. Decides to keep the item entitled, "Implementation of the Programme of Action for the Second Decade to Combat Racism and Racial Discrimination" on its agenda throughout the Second Decade and to consider it as a matter of the highest priority at its forty-sixth session.



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Forty-fifth session
Agenda item 99

QUESTION OF AGING

Report of the Third Committee

Rapporteur: Mr. Mario DE LEON (Philippines)

I. INTRODUCTION

1. At its 3rd plenary meeting, on 21 September 1990, the General Assembly, on the recommendation of the General Committee, decided to include in its agenda the item entitled "Question of aging" and to allocate it to the Third Committee.
2. The Committee considered the item jointly with items 90, 92, 96 and 104 at its 11th to 17th, 25th and 37th meetings, on 17 to 23 and 30 October and 9 November 1990. An account of the Committee's discussion is contained in the relevant summary records (A/C.3/45/SR.11-17, 25 and 37).
3. For its consideration of the item, the Committee had before it the following documents:
 - (a) Report of the Secretary-General on the question of aging (A/45/420);
 - (b) Letter dated 9 April 1990 from the Chargé d'affaires a.i. of the Permanent Mission of Israel to the United Nations addressed to the Secretary-General (A/45/207-S/21238).
4. At the 11th meeting, on 17 October, the Director-General of the United Nations Office at Vienna and the Director of the Social Development Division made introductory statements (see A/C.3/45/SR.11).

II. CONSIDERATION OF DRAFT RESOLUTIONS A/C.3/45/L.12
AND Rev.1 AND 2

5. At the 25th meeting, on 30 October, the representative of the Dominican Republic introduced a draft resolution (A/C.3/45/L.12), entitled "Implementation of the International Plan of Action on Aging and related activities", also sponsored by Austria and Malta, which read as follows:

"The General Assembly,

"Recalling its resolutions 44/67 and 44/76 of 8 December 1989, and reaffirming all of their relevant provisions, particularly those which endorsed priorities and recommendations made by the Economic and Social Council in its resolution 1989/50 of 24 May 1989,

"Noting that the Economic and Social Council recommended in its resolution 1989/50 the convening of an ad hoc working group of the Commission for Social Development at its thirty-second session to monitor preparatory activities for the tenth anniversary of the adoption of the International Plan of Action on Aging, 1/

"Noting with concern that, although in its resolution 43/93 of 8 December 1988 it recommended that aging should be considered a priority theme for the international development strategy for the fourth United Nations development decade and the medium-term plan for the period 1992-1997, the resources assigned to subprogramme 7, Aging in the programme budget for the biennium 1990-1991 2/ for the Centre for Social Development and Humanitarian Affairs of the Secretariat, are not sufficient to implement the programme adequately and to give it the priority recommended,

"Also noting with concern that the contributions to the United Nations Trust Fund for Aging have steadily declined since 1982, thereby reducing its resource base, and that unless this trend is reversed and the Fund strengthened, many priority requests will not be met and the implementation of the Plan of Action will be weakened where it is most needed, in developing countries,

"Recognizing that the elderly are an asset to society and can contribute significantly to the development process,

"1/ See Report of the World Assembly on Aging, Vienna, 26 July to 6 August 1982 (United Nations publication, Sales No. E.82.I.16), chap. VI, sect. A.

"2/ See Official Records of the General Assembly, Forty-fourth Session, Supplement No. 6 (A/44/6/Rev.1), vol. 1.

"Mindful of the need for innovative and effective international co-operation on aging, including the transfer of know-how and financial support, if countries are to achieve self-reliance in responding to the aging of their populations,

"Recognizing the complexity and rapidity of the aging of the world's population and the need to have a common basis and frame of reference for the protection and promotion of the rights of the elderly, including the contribution that the elderly can and should make to society,

"Having considered the report of the Secretary-General on the question of aging, 3/

"1. Takes note of the report of the Secretary-General on the question of aging;

"2. Endorses the action programme on aging for 1992 and beyond contained in the report of the Secretary-General;

"3. Urges Member States, intergovernmental organizations and non-governmental organizations concerned to participate in the action programme on aging for 1992 and beyond, especially in selecting targets on aging, in organizing community-wide activities and in launching an information and fund-raising campaign to celebrate the tenth anniversary of the adoption of the International Plan of Action on Aging at the local, national and global levels;

"4. Endorses the request of the Economic and Social Council to convene an ad hoc working group at the Commission for Social Development at its thirty-second session in 1991 to monitor preparations for the tenth anniversary, especially to launch a global information campaign, and the selection of targets that might form the basis of the third review and appraisal of the Plan of Action to be made by the Commission at its thirty-third session in 1993;

"5. Invites Member States, the United Nations and non-governmental organizations to consider innovative and effective ways of co-operating on the selection of targets during 1991 and 1992;

"6. Recommends that consideration be given to the desirability of convening, subject to the availability of funds, regional and sectoral meetings on the selection of targets on aging during 1991 and 1992 and global consultations in 1993 and 1997, to coincide with the third and fourth quadrennial reviews and appraisal of the implementation of the Plan of Action;

"7. Notes with appreciation the work of recent ad hoc inter-agency meetings on aging, and recommends that inter-agency meetings on aging be convened biennially;

"8. Welcomes with appreciation the rapid progress made by the international Institute on Aging in Malta in establishing, in close collaboration and co-operation with the United Nations system, as well as with governmental and non-governmental institutions and organizations, programmes that promote in a practical manner the implementation of the Plan of Action, particularly through curriculum development, training courses, a global survey on training and the establishment of an information network, and requests the Secretary-General, in reporting on the question of aging to the General Assembly at its forty-sixth session, to inform the Assembly of the activities of the Institute;

"9. Takes note with satisfaction of the plans for the establishment of training institutes on aging in Argentina, Yugoslavia and Central America and the Caribbean;

"10. Welcomes global fund-raising initiatives for aging, particularly the proposed establishment in 1991 of an independent foundation on aging under the patronage of the United Nations, to be called the Banyan Foundation, the main goal of which will be to empower the elderly in all world regions to maintain maximum independence and the ability to contribute to society in the context of the Plan of Action, thus serving as a much-needed international fund raising vehicle for aging programmes world wide;

"11. Requests the Commission on the Status of Women to consider under the priority theme of development of its 1992 agenda the positive contributions and specific roles of elderly women in the development of their societies;

"12. Notes with appreciation the support given by the United Nations Population Fund to the Aging Unit in the Centre for Social Development and Humanitarian Affairs of the Secretariat and urges the Fund to maintain this commitment;

"13. Notes with satisfaction the close collaboration of the Centre for Social Development and Humanitarian Affairs of the Secretariat, as the United Nations focal point on aging, with intergovernmental and non-governmental organizations active in the field of aging, and encourages the Centre to continue to strengthen this collaboration;

"14. Calls upon Member States, national committees, the United Nations system, non-governmental organizations and all other organizations dealing with the question of aging to assist in a global information and fund-raising campaign for the celebration of the tenth anniversary of the adoption of the Plan of Action;

"15. Designates 1 October as the International Day for the Elderly;

"16. Urges Governments and non-governmental organizations to contribute to the Trust Fund for Aging;

"17. Also urges Governments and non-governmental organizations to contribute human and financial resources through the Centre for Social Development and Humanitarian Affairs of the Secretariat for the co-ordination and implementation of the action programme on aging for 1992 and beyond;

"18. Further urges the Secretary-General to increase the human and financial resources of the Aging Unit of the Centre for Social Development and Humanitarian Affairs of the Secretariat to enable it to fulfil its mandate as the United Nations focal point on aging;

"19. Requests the Secretary-General to report to the General Assembly at its forty-sixth session on the implementation of the present resolution;

"20. Decides to include in the provisional agenda of its forty-sixth session the item entitled 'Question of aging'."

6. At the same meeting, the representative of the Dominican Republic orally revised the draft resolution as follows:

(a) The third preambular paragraph, which read:

"Noting with concern that, although in its resolution 43/93 of 8 December 1988 it recommended that aging should be considered a priority theme for the international development strategy for the fourth United Nations development decade and the medium-term plan for the period 1992-1997, the resources assigned to subprogramme 7, Aging in the programme budget for the biennium 1990-1991 2/ for the Centre for Social Development and Humanitarian Affairs of the Secretariat, are not sufficient to implement the programme adequately and to give it the priority recommended,"

was replaced by the following text:

"Noting with concern that, although in its resolution 43/93 of 8 December 1988 it recommended that aging should be considered a priority in the medium-term plan for the period 1992-1997, the resources assigned to subprogramme 7, Aging in the programme budget for the biennium 1990-1991 2/ for the Centre for Social Development and Humanitarian Affairs of the Secretariat are not sufficient to implement the programme adequately and to give it the priority recommended,";

(b) In the sixth preambular paragraph, after the words "co-operation on aging" the phrase "including the transfer of know how and financial support" was deleted;

(c) In operative paragraph 3, after the words "Urges Member States" the words "the organs, organizations and bodies of the United Nations system" were inserted, and at the end of the paragraph, after the word "national" the word "regional" was inserted;

/...

(d) In operative paragraph 6, after the words "Recommends that" the phrase "consideration be given" was replaced by the phrase "the Commission for Social Development give";

(e) In operative paragraph 7, the word "the" was inserted before the words "recent ad hoc inter-agency meetings";

(f) In operative paragraph 11, the words "of its 1992 agenda" were deleted before the words "the positive contributions";

(g) Operative paragraph 14 was deleted and the following paragraphs were subsequently renumbered;

(h) In operative paragraph 18, the word "increase" was replaced by the words "consider increasing".

7. The draft resolution as orally revised was subsequently issued as document A/C.3/45/L.12/Rev.1.

8. At the 37th meeting, on 9 November, the representative of the Dominican Republic, on behalf of the sponsors, introduced a revised draft resolution (A/C.3/45/L.12/Rev.2).

9. At the same meeting, the Committee adopted the draft resolution, without a vote (see para. 11).

10. After the adoption of the draft resolution, the representative of Germany made a statement.

III. RECOMMENDATION OF THE THIRD COMMITTEE

11. The Third Committee recommends to the General Assembly the adoption of the following draft resolution:

Implementation of the International Plan of Action on Aging and related activities

The General Assembly,

Recalling its resolutions 44/67 and 44/76 of 8 December 1989, and reaffirming all of their relevant provisions, particularly those which endorsed priorities and recommendations made by the Economic and Social Council in its resolution 1989/50 of 24 May 1989,

Noting that the Economic and Social Council recommended in its resolution 1989/50 the convening of an ad hoc working group of the Commission for Social

/...

Development at its thirty-second session to monitor preparatory activities for the tenth anniversary of the adoption of the International Plan of Action on Aging, 1/

Noting with concern that, although in its resolution 43/93 of 8 December 1988 it recommended that aging should be considered a priority in the medium-term plan for the period 1992-1997, the resources assigned to subprogramme 7, Aging, of section 8, Activities on global social development issues, in the programme budget for the biennium 1990-1991 2/ for the Centre for Social Development and Humanitarian Affairs of the Secretariat are not sufficient to implement the programme adequately and to give it the priority recommended,

Also noting with concern that the contributions to the United Nations Trust Fund for Aging have steadily declined since 1982, thereby reducing its resource base, and that unless this trend is reversed and the Fund strengthened, many priority requests will not be met and the implementation of the Plan of Action will be weakened where it is most needed, in developing countries,

Recognizing that the elderly are an asset to society and can contribute significantly to the development process,

Mindful of the need for innovative and effective international co-operation in the field of aging if countries are to achieve self-reliance in responding to the aging of their populations,

Recognizing the complexity and rapidity of the aging of the world's population and the need to have a common basis and frame of reference for the protection and promotion of the rights of the elderly, including the contribution that the elderly can and should make to society,

Recalling the establishment at Dakar in 1989 of the African Society of Gerontology,

Having considered the report of the Secretary-General on the question of aging, 3/

1. Takes note of the report of the Secretary-General on the question of aging;
2. Endorses the action programme on aging for 1992 and beyond as outlined in the report of the Secretary-General;

1/ See Report of the World Assembly on Aging, Vienna, 26 July to 6 August 1982 (United Nations publication, Sales No. E.82.I.16), chap. VI, sect. A.

2/ See Official Records of the General Assembly, Forty-fourth Session, Supplement No. 6 (A/44/6/Rev.1), vol. I.

3/ A/45/420.

3. Urges Member States, the organs, organizations and bodies of the United Nations system, intergovernmental organizations and non-governmental organizations concerned to participate in the action programme on aging for 1992 and beyond, especially in selecting targets in the field of aging, in organizing community-wide activities and in launching an information and fund-raising campaign to celebrate the tenth anniversary of the adoption of the International Plan of Action on Aging at the local, national, regional and global levels;

4. Endorses the recommendation of the Economic and Social Council in its resolution 1989/50 that an ad hoc working group of the Commission for Social Development be convened at its thirty-second session, in 1991, to monitor the activities for the tenth anniversary, especially to launch a global information campaign, and the selection of targets that might form the basis of the third review and appraisal of the Plan of Action to be made by the Commission at its thirty-third session, in 1993;

5. Invites Member States, the United Nations and non-governmental organizations to consider innovative and effective ways of co-operating on the selection of targets in the field of aging during 1991 and 1992;

6. Recommends that the Commission for Social Development give consideration to the desirability of convening, subject to the availability of funds, regional and sectoral meetings on the selection of targets on aging during 1991 and 1992 and global consultations in 1993 and 1997, to coincide with the third and fourth quadrennial reviews and appraisal of the implementation of the Plan of Action;

7. Notes with appreciation the work of the recent ad hoc inter-agency meetings on aging, and recommends that inter-agency meetings on aging be convened biennially;

8. Welcomes with appreciation the rapid progress made by the International Institute on Aging in Malta in establishing, in close collaboration and co-operation with the United Nations system, as well as with governmental and non-governmental institutions and organizations, programmes that promote in a practical manner the implementation of the Plan of Action, particularly through curriculum development, training courses, a global survey on training and the establishment of an information network, and requests the Secretary-General, in reporting on the question of aging to the General Assembly at its forty-sixth session, to inform the Assembly of the activities of the Institute;

9. Takes note with satisfaction of the plans for the establishment of training institutes on aging in Argentina and Yugoslavia and in Central America and the Caribbean;

10. Requests the Centre for Social Development and Humanitarian Affairs of the Secretariat to provide, within existing resources, technical assistance to the African Society of Gerontology;

11. Welcomes global fund-raising initiatives for activities in the field of aging, particularly the proposed establishment in 1991 of an independent foundation on aging under the patronage of the United Nations, to be called the Banyan Foundation, the main goal of which will be to empower the elderly in all world regions to maintain maximum independence and the ability to contribute to society in the context of the Plan of Action, thus serving as a much-needed international fund-raising vehicle for programmes for the aging world wide;

12. Requests the Commission on the Status of Women to consider under the priority theme "development" the positive contributions and specific roles of elderly women in the development of their societies;

13. Notes with appreciation the support given by the United Nations Population Fund to the Aging Unit of the Centre for Social Development and Humanitarian Affairs and urges the Fund to maintain this commitment;

14. Notes with satisfaction the close collaboration of the Centre for Social Development and Humanitarian Affairs, as the United Nations focal point on aging, with intergovernmental and non-governmental organizations active in the field of aging, and encourages the Centre to continue to strengthen this collaboration;

15. Designates 1 October as International Day for the Elderly;

16. Urges Governments and non-governmental organizations to contribute to the Trust Fund for Aging;

17. Also urges Governments and non-governmental organizations to contribute human and financial resources through the Centre for Social Development and Humanitarian Affairs for the co-ordination and implementation of the action programme on aging for 1992 and beyond;

18. Urges the Secretary-General to consider increasing the human and financial resources of the Aging Unit of the Centre for Social Development and Humanitarian Affairs in order to enable it to fulfil its mandate as the United Nations focal point on aging;

19. Requests the Secretary-General to report to the General Assembly at its forty-sixth session on the implementation of the present resolution;

20. Decides to include in the provisional agenda of its forty-sixth session the item entitled "Question of aging".
